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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA – NORTHERN DIVISION**

10 TESORO REFINING & MARKETING  
11 COMPANY LLC, a Delaware limited liability  
company,

12 Plaintiff,

13 v.

14 ALANDDON LLC, a Nevada limited liability  
company; KIM FIEGEHEN, as Guardian ad  
Litem for DONALD A. LEHR, individually;  
15 VALARIE M. LEHR, individually; and KIM  
FIEGEHEN, as Guardian ad Litem, for ALLAN  
16 G. FIEGEHEN, individually.

17 Defendants.  
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CASE NO.: 3:19-cv-00449-LRH-WGC

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
RESPONSE TO DEFENDANTS' MOTION  
FOR PARTIAL SUMMARY JUDGMENT  
(ECF No. 46) – FIFTH REQUEST**

25 Plaintiff TESORO REFINING & MARKETING COMPANY LLC (“Tesoro”), by and  
26 through its attorneys of record, the law firm of LITCHFIELD CAVO LLP, and ALANDDON LLC,  
27 VALARIE M. LEHR, and KIM FIEGEHEN, as Guardian Ad Litem, for ALLAN G. FIEGEHEN and  
28 DONALD A. LEHR (collectively referred to as “Defendants”) by and through their attorneys of

1 record, the law firm of ALLISON MACKENZIE, LTD., do hereby stipulate and agree as follows:

2 1. Plaintiff filed its first amended complaint on November 15, 2019 (ECF No. 17).

3 2. Defendants filed their answer to the amended complaint on May 29, 2020 (ECF 32).

4 3. The current deadlines, pursuant to the stipulated discovery plan and scheduling order –  
5 fourth request are: Discovery Cut-Off – June 14, 2021; Amend the pleading or add parties – February  
6 26, 2021; Initial Expert Disclosure: February 14, 2021; Rebuttal Expert Disclosure: March 15, 2021;  
7 Dispositive Motion Deadline: July 19, 2021 and Joint Pre-Trial Order: June 29, 2021.

8 4. On December 23, 2020, Defendants filed their Motion for Partial Summary Judgment  
9 on Plaintiff's Second Claim for Relief (Breach of Contract against Guarantors)(the "MPSJ")(ECF No.  
10 46).

11 5. Plaintiff's response to Defendants MPSJ is due July 2, 2021 pursuant to Court Order  
12 (ECF No. 75).

13 6. On January 19, 2021, Defendants filed their Motion for Protective Order that Allan G.  
14 Fiegehen Not Be Deposed (ECF No. 50) and Motion for Protective Order that Donald Lehr Not Be  
15 Deposed (ECF No. 51) (the "Motions for Protective Orders").

16 7. Plaintiff filed its response to the Defendants' Motions for Protective Orders ECF No.  
17 50 and ECF No. 51 on March 16, 2021.

18 8. Defendants filed their Reply in Support Motions for Protective Orders on March 23,  
19 2021. (ECF 64 and 65).

20 9. The hearing for Motions for Protective Orders was held on April 15, 2021. The court  
21 denied Defendants' Motions for Protective Orders ECF No. 50 and ECF No. 51 and will allow Plaintiff  
22 to depose Mr. Fiegehen and Mr. Lehr subject to certain limitations as agreed upon at the April 15,  
23 2021 hearing. (Minutes of Proceedings, ECF 69).

24 10. Defendants' counsel agreed that Plaintiff's response to Defendants' MPSJ (ECF No.  
25 46) shall be not be due until after the depositions of Mr. Fiegehen and Mr. Lehr are conducted.

26 11. Mr. Fiegehen was deposed on June 9, 2021 and Mr. Lehr was deposed on June 10,  
27 2021.

28 12. Both counsel are working on a stipulated set of facts about which Mr. Lehr and Mr.

1 Fiegehen will testify to. In order for counsel to have time to finalize the stipulated set of facts, counsel  
2 have agreed that Plaintiff's response to Defendants' MPSJ will be due no later than July 16, 2021.

3 13. This is Plaintiff's fifth request for an extension in regard to Defendants' MPSJ (ECF  
4 No. 46). This extension will not affect the current deadlines.

5 **IT IS SO STIPULATED.**

6 Dated: July 1, 2021

**LITCHFIELD CAVO LLP**

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*Attorneys for Plaintiff*

13 Dated: July 1, 2021

**ALLISON MacKENZIE, LTD.**

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*Attorneys for Defendants*

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20 **IT IS SO ORDERED** that the deadline for Plaintiff to file its response to Defendants' MPSJ  
21 (ECF No 46) is July 16, 2021.

22 DATED this 2nd day of July, 2021.

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25 LARRY R. HICKS  
26 UNITED STATES DISTRICT JUDGE  
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